

TIVERTON CHARTER REVIEW COMMISSION

Regular meeting minutes: February 6, 2008

1: Call to order

Chairman Cecil Leonard called the meeting to order at 7:02 PM at the Tiverton Community Center.

Members present: Laura Epke, Frank Marshall, Ray Medeiros, Diane Harris, Bob Koohy
Absent: Richard Joslin, Deb Pallasch, Stanley Zeramby

2: Approval of minutes

Motion made by L. Epke, seconded by R. Medeiros, to approve minutes for Jan. 30, 2008.
Motion passed unanimously.

3. Public Input

Mr. Robert Martin, Hilton Ave.

Section 503. Is the Town ready for a Town Administrator? Should the position be abolished or modified to make the position more “doable”?

Section 905 Why is this section in charter?

Section 1005 Why is “No member shall be an elected official or employee of the Town” included only in this section?

Section 1217 Why does only the Town Clerk get Town paid health benefits?
Is a co-pay required for this benefit?

Mr. Peter Moniz, Captain’s Circle

Advocated that the Town Treasurer position be converted to appointment rather elected in order to insure well-qualified persons in the job. Mr. Moniz stated that the whole financial structure of the Town should be reorganized to gain efficiency. Mr. Moniz left documents including an excerpt from the Portsmouth charter re department of finance, three pages of RIGL chapter 45-8 and one page title “timeline” to facilitate a transition to a revised Town finance department. Copies of all the documents are included with these minutes.

Mr. James P. Amarantes submitter a letter dated January 31, 2008 to the commission Concerning proposed modifications/additions to section 503.1 and section 310. A copy of his letter is included in these minutes.

4. Preliminary Commission discussion re: input for proposed changes

Items from the previous meeting minutes were reviewed for inclusion in the “working document” list.

The following items were suggested by Mr. Andy Teitz in his role as Town solicitor from minutes of January 23, 2008 meeting:

Section 104- add” with the States of RI and MA subdivisions” to clarify intergovernmental intent.

Motion was made by L. Epke seconded by R. Medeiros to add this suggestion to the working document. Motion passed with 5 yes and F. Marshall no.

Section 306- decrease number of people needed for a quorum.
Consensus was to add this item to the “if FTM continues” list rather than the working document.

Section 307(a)-vote by ballot modify to make consistent with state law.
Consensus was to add this item to the “if FTM continues” list rather than the working document

Section 404- clarify who is responsible for setting agenda for TC meetings.
No motions offered. No action taken.

Sections 504/505/1213- clarify dual office holding. Temporary Vs permanent language

Motion was made by C. Leonard to add to working document seconded by L. Epke.
Motion passed with 5 yes and F. Marshall no.

Section 1211- a lot of authority given to Town Clerk and municipal court. Clear up responsibility.
No motion offered. No action taken.

The follow item was suggested by Mr. Dave Perry (concurrence by other budget committee members present):

Would be in favor of later FTM. Suggestions were from June 15 to as late as August 15th.

Motion made by F. Marshall to add suggestion of later, August 15, final budget adaptation to working document as a stand alone item seconded by L. Epke.
Motion passed unanimously.

After this item was added to the working document R. Koohy posed the question “what type of time frame would we create if we went back to ‘genesis’ created a new budget process?” The question resulted in consideration of a fresh look at the time needed for the budgeting process; which will probably be revisited at future commission meetings.

Discussion FTM alternatives:

L. Epke passed out a draft of a present and a draft of a proposed budget process flow chart. A detailed discussion of the two charts ensued. L. Epke agreed to continue work on the charts in order to refine them.

Meeting recessed from 8:30 PM until approximately 8:40 PM when it was called back to order.

F. Marshall passed out a two page document dated 2/6/08 and titled "Charter Review Commission FTM Alternative # 4 'Grand Committee'". A copy is included with these minutes.

Mr. Marshall made verbal comments about the document and answered a few questions from other commission members. C. Leonard ask all the commission members to consider the information presented in the document and come to the next meeting prepared with any questions or suggested changes they might have.

5. Other Business

Chair distributed copies of sample ballots of the "official election ballot, state of Rhode Island, Town of Tiverton, Tuesday, November 7, 2006" so that all members would have a copy of the ballot question that resulted in the formation of the current Charter Review Commission. A copy of the sample ballot is included in these minutes.

Chair also distributed copies of a memo from Andrew M. Teitz, Town Solicitor, to the Tiverton Town Council et al dated January 23, 2008 about appointment of the Town Treasurer to be interim Town Administrator. He referred to the content of the memo in relation to the need to modify sections 504/505/1213 to make them more consistent. A copy of the memo is included with these minutes.

Chair distributed copies of article XIII, home rule for cities and towns, of the Rhode Island constitution copied from the state web site. The copies did not include all the information displayed on the web site and the chair suggested all members visit the web site so they could read the complete text of article XIII.

Chair opined that article XIII coupled with the opinion expressed both verbally and in writing by Solicitor Teitz firmly established that the Charter Commission had the full authority to recommend any changes to the current charter, that meet the requirements of the general laws of Rhode Island, to the registered voters of Tiverton for their acceptance or rejection.

6. Adjournment

The Commission's February 6, 2008 regular meeting was adjourned at approximately 9:40 PM.

Minutes recorded and compiled by Cecil Leonard, Acting Secretary.